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राजपत्र हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 9 जुलाई, 1975/18 आषाढ़, 1897

GOVERNMENT OF HIMACHAL PRADESH

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATION

Simla-2, the 8th July, 1975

No. 11-6/71-Coop.(F&S).—Whereas the Governor of Himachal Pradesh is of the opinion that it is necessary and expedient so to do for the maintenance and increase of supplies and for securing the equitable distribution and availability of any article or thing at fair prices;

Now, therefore, in exercise of the powers conferred by Rule 114(2) of the Defence of India Rules, 1971, the Governor of Himachal Pradesh is pleased to make the following Order, namely:—

1. (1) This order may be called the Himachal Pradesh Commodities Price Marking and Display Order, 1975.
- (2) It shall come into force at once.
- (3) It extends to whole of the State of Himachal Pradesh.
2. In this Order, unless the context otherwise requires,—
 - (a) "commodity" means any article or thing specified in column 3 of Schedule I or Schedule II;
 - (b) "dealer" means a person who carries on the wholesale or retail business of selling or storing for sale any commodity, whether or not such business is carried on in addition to any other business;
 - (c) "list of prices and opening stocks" means the list maintained from time to time by any dealer in the form prescribed in Schedule III indicating the prices and the daily opening stocks of the commodities specified in column 3 of Schedule I in which the dealer carries on business;
 - (d) "price" in relation to a commodity, means the amount of money, for which the dealer sells or parts with, or agrees to sell or part with, or offers to sell or part with, that commodity or any variety or quality thereof inclusive of any tax payable under any law for the time being in force in respect of such commodity;
 - (e) "Schedule" means Schedules appended to this Order; and
 - (f) "Director" means the Director of Civil Supplies, Himachal Pradesh and includes the Deputy Director of Civil Supplies, Himachal Pradesh, District Food and Supplies Controllers, District Co-operative and Supplies Officers, District Inspectors (Food and Supplies), Inspectors (Food and Supplies) and Sub-Inspectors (Food and Supplies).
3. Every dealer shall from the commencement of this Order:—
 - (a) in respect of the commodities specified in column 3 of Schedule I, display conspicuously in the form prescribed in Schedule III during the hours of business at a place as near to the entrance of his business premises as possible a list of prices and opening stocks in Devnagri script in Hindi; and
 - (b) in respect of the commodities specified in column 3 of Schedule II, mark from time to time the price in the manner prescribed in that Schedule in the script referred to in clause (a):

Provided that the form of numericals to be used shall be the International form of Indian numericals:

Provided further that a wholesale cloth dealer may, instead of marking, in the manner prescribed in Schedule II, the prices of various varieties of Textiles having specified trade mark and falling within the purview of the aforesaid Schedule, display the price of each such variety in accordance with the provisions of sub-clause (a) of this clause:

Provided further that in the case of any commodity which is out of stock instead of writing the price thereof in the list the words "OUT OF STOCK" shall be written in block letters against that commodity:

Provided further that the retail price of any category of essential articles so displayed shall not exceed the retail price, if any, fixed or recommended by the manufacturers or producer in respect of that category of essential articles.

4. The list of prices and opening stocks mentioned in clause 3 shall be displayed in the manner as indicated in Schedule III and shall be signed and dated by the dealer stating thereunder the capacity in which he has signed the list *i.e.*, whether he is a proprietor, partner or manager of the firm. The name of the firm shall also be shown on the list.

5. No dealer shall,—

- (a) sell or agree or offer for sale any article at a price higher than the price displayed in respect of that article in the list of prices or the price marked in respect thereof, as the case may be; or
- (b) refuse to sell or withhold from sale such article to any person at the price so displayed or marked; or
- (c) omit to include in the list of prices and opening stock any articles ordinarily kept or stored for sale by him, or to display in such list the price of any article held by him in stock.

6. For ensuring that the provisions of this Order are being complied with by the dealer, the Director, the District Magistrate, the Police Officer not below the rank of Sub-Inspector shall have the powers to:—

- (i) enter the business premises of any dealer during business hours to inspect the list of prices and opening stocks or the prices marked in the manner laid down in Schedule II;
- (ii) require any dealer or any person carrying on business on his behalf to give a copy of the list of prices and opening stocks or any other information in his possession in respect of the business and the dealer or such person as the case may be, shall give the copy of the list of prices and opening stocks or other information required from him;
- (iii) inspect or cause to be inspected any book, document or any stock of articles belonging to or under the control of any dealer or any person acting on his behalf and take such book, document or stock in his possession; and
- (iv) search any premises or place and seize any article in respect of which he suspects that any provisions of this Order has been, is being, or is about to be contravened.

7. The provisions of section 100 of the Code of Criminal Procedure, 1973 relating to search and seizure shall so far as may be, apply to searches and Seizures under this Order.

8. Any contravention of the provisions of this Order shall be punishable under sub-rule (11) of rule 114 of the Defence of India Rules, 1971, with imprisonment for a term which may extend to three years, or with fine, or with both.

9. The H.P. Commodity Price Marking and Display Order, 1972 shall stand repealed as from the coming into force of this Order:

Provided that the repeal shall not affect,—

- (a) the previous operations of any such law; or
- (b) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law; or
- (c) any investigation or remedy in respect of any such penalty, forfeiture or punishment;

and any such investigation, legal proceeding or remedy may be instituted, continued or imposed and any such penalty, forfeiture or punishment may be imposed, as if this Order had not been made:

Provided further that subject to the preceding proviso anything done or any action taken under any such law, shall be deemed to have been done or taken under the corresponding provision of this Order and shall continue in force accordingly, unless and until superseded by anything done or any action taken under this Order.

SCHEDULE I

[See para 2(a) and (3)]

COMMODITIES IN RESPECT OF WHICH LIST OF PRICES IS TO BE DISPLAYED

Sl.No.	Class of Commodities	Name of Commodity
1	2	3
1.	Food-stuffs	<ul style="list-style-type: none"> (i) Wheat (ii) Chakki wheat flour (iii) Mill wheat flour (iv) Maize (v) Maize flour (vi) Rice Basmati (vii) Rice Begmi (viii) Pulses (ix) Gram Desi (x) Gram Kabli (xi) Sugar (xii) Sugar Desi (Bura) (xiii) Gur (xiv) Shakkar (xv) Khandsari (xvi) Sugar Bura (xvii) Sugar balls (xviii) Sugar cubes (xix) Misri (xx) Patasha (xxi) Desi Ghee (xxii) Vegetable Oils (including hydro- genated Vanaspati). (xxiii) Mustard Oil (Sarson Oil) (xxiv) Common Salt (xxv) Haldi

- (xxvi) Chillies
- (xxvii) Spices
- (xxviii) Bread
- (xxix) Butter
- (xxx) Eggs
- (xxxi) Baby foods
- (xxxii) Condensed milk
- (xxxiii) Tea
- (xxxiv) Fresh Vegetables
- (xxxv) Meat/Chicken/Fish
- (xxxvi) Fresh Milk/Milk Products
- (xxxvii) Sweetmeats
- (xxxviii) Meals, Cooked food or dishes served by Hotels/restaurants or public eating houses located within the territorial jurisdiction of a Municipal Corporation, Municipal Committee, or a Notified Area Committee.

2. Toilet Goods

- (i) Tooth brushes
- (ii) Tooth pastes
- (iii) Toilet soap
- (iv) Washing soap
- (v) Soap flakes.

3. Yarn and Textiles

- (i) Poplin
- (ii) Long cloth
- (iii) Muslin
- (iv) Voils
- (v) Drills
- (vi) Knitting wool

4. General

- (i) Kerosene oil
- (ii) Diesel oil
- (iii) Lubricating oil
- (iv) Petrol
- (v) Battery cells
- (vi) Transister cells
- (vii) Cigarettes
- (viii) Razor blades
- (ix) Electric bulbs
- (x) Torch bulbs
- (xi) Brass, copper, steel aluminium utensils sold by weight.
- (xii) Steam coal
- (xiii) Soft coke
- (xiv) Hard coke
- (xv) Fire-Wood (Logs or chopped)
- (xvi) Tyres and Tubes
- (xvii) Match boxes
- (xviii) Fire wood

- (xix) Electric Wires
- (xx) C.G.I./P.G.I. Sheets, Iron bars, Wire nails
- (xxi) Exercise books
- (xxii) Liquified Petroleum Gas.

Note.—(i) Price shall be specified separately in respect of different kinds, qualities, varieties, or types of commodities.

Note.—(ii) Where any commodity of any kind, quality, variety or type thereof is sold in tins, bottles, packages or litres form price shall be specified separately per tin, bottle, package, litres, drum or of any other unit in which prices are generally quoted.

Note.—(iii) In column 5, the unit of price in respect of different kinds qualities, varieties, or types of each commodity shall be specified in terms of weight, quantity, number, packet, package, bottle, tin, drum or any other unit in which prices are generally quoted.

Illustration.—The price of sugar may be specified per kilogram or eggs per dozen and of Kerosene Oil per bottle or per tin of specified capacity measured in terms of Mill-litres or litres.

Note.—(iv) Lists of prices shall be printed, typed or written.

SCHEDULE II

[See para 2(a), 3 and (5)]

COMMODITIES IN RESPECT OF WHICH PRICES ARE TO BE MARKED

Sl. No.	Class of commodities	Name of commodity	Manner of marking price
1	2	3	4
1.	Textiles	(i) All kinds of cloth except those specified in Schedule I whether of synthetic fibre, cotton, wool, silk or any admixture thereof.	In the case of cloth sold by metres, the prices shall be marked by writing it on one end of the roll (Than) or piece or by pasting or tagging a price table thereto.
		(ii) Saries	The price shall be marked per article or set of articles or on the carton thereof or by pasting or tagging a price table to the article or set of articles.
		(iii) Dhoties	
		(iv) Blankets	
		(v) Towels	
		(vi) Bed-covers	
		(vii) Bed-Sheets	
		(viii) Table cloth	
		(ix) Pillow cases	
		(x) Durries and Khesis	
		(xi) Carpets	
		(xii) Ready-made garments.	

1	2	3	4
2.	Leather goods	(i) Shoes (ii) Chappals (iii) Sleepers (iv) Sandles (v) Suit-cases and attachee cases.	The price shall be marked per article or set of articles or on the carton thereof or by pasting or tagging a price lable to the article or set of articles.
3.	Utensils	All utensils sold other- wise than by weight.	-do-
4.	Crockery	(i) Glass tumblers (ii) Glass jugs and jars. (iii) Thermos bottles/ jars. (iv) Crockery i.e. cups, saucers, tea-sets, tea pots, quarter plates, half plates, full plates.	-do-

Note.—(1) Price shall be embossed, printed, typed or written in ink.

Note.—(2) It is not necessary to affix separate labels on all articles of a particular commodity of the same quality, size, prices and specifications stored together at one place. In such cases a single lable displaying the price of one piece be put against the entire lot.

SCHEDULE III
[See para (4)]

- (i) Name and address of the dealer.....
- (ii) Premises of business.....
- (iii) Date.....

Sl. No.	Name of commodity	*Quality/make of article	Unit of price	Price	Opening stock	Remakrs
1	2	3	4	5	6	7

*Each quality/make of the article should be shown separately so as to indicate the separate price for that quality/make.

*Signature of
Proprietor/Partner/Manager.*

Dated.....

M. S. MUKHERJEE,
Secretary.

उप-नियन्त्रक, मुद्रण तथा लेखन-सामग्री, हिमाचल प्रदेश, शिमला-3 द्वारा मुद्रित तथा प्रकाशित ।